

comparing the list of authorized vendors and the list of excluded vendors with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade;

displaying vendor data on the availability of the upgrade for the at least one line item;

receiving a selection of at least one vendor from the list of authorized vendors that corresponds with the at least one line item; and

receiving authorization from a claim handler to execute at least one payment of the selected at least one line item.

51. (Once Amended) The method of claim 50 further comprising allowing vendor transfer or preauthorized payment only when vendor data indicates the at least one vendor has the preferred status.

### **REMARKS**

The remaining issues regarding this application are as follows:

- The Examiner rejected Claims 1-3, 5-17, 19-31 and 33-55 under 35 USC § 112;
- The Examiner rejected Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37 and 39-55 under 35 USC § 103(a) as being unpatentable over Borghesi et al. (US Patent No. 5, 950, 169); and
- The Examiner rejected Claims 10, 24 and 38 under 35 USC § 103(a) as being unpatentable over Borghesi et al. in view of Huffman (U.S. Patent No. 5, 870, 711) as applied to Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37, 39-55 above, and further in view of DiRienzo et al. (US Patent No. 6, 076, 066).

Applicants thanks the Examiner for the interview on May 14, 2002 concerning amending the claims to further define the phrase “authorized vendors.” Applicants have amended the claims to comply with the Examiner’s suggestion.

Applicants respectfully traverse these rejections and respectfully request the Examiner to

withdraw the rejections to the amended claims in light of the following remarks.

### **35 USC § 112**

The Examiner rejected Claims 1-3, 5-17, 19-31 and 33-55 under 35 USC §112 1<sup>st</sup> paragraph, because the Examiner states “the specification, while being enabling for line item data processing for insurance claims, does not reasonably provide enablement for line item data processing toward other than for insurance claims.” The Examiner requested that we include the phrase “claim handler.” Applicants have included the phrase “Claim handler” to distinctly claim the insurance claiming process. No new matter has been added. Applicants request the Examiner to withdraw the rejections to Claims 1-3, 5-17, 19-31 and 33-55 as amended.

### **35 USC § 103(a)**

*Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37 and 39-55*

The Examiner rejected Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37 and 39-55, under 35 U.S.C. § 103(a) as being unpatentable over Borghesi et al. Applicants respectfully traverse this rejection. Applicants believe the Examiner made a mistake in rejecting Claim 32, because Claim 32 was canceled in the previous Amendment dated January 18, 2002. Applicants have amended Claims 1, 5, 15, 19, 29, 33, 44 and 51. The specification supports the amendment to the claims. No new matter has been added. Applicants respectfully submit that the amended claims are not described or suggested by Borghesi et al.

Amended Claim 1 recites, “displaying a list of authorized vendors and a list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade; receiving a selection of at least one vendor from the list of authorized vendors.”

Amended Claim 15 recites, “displaying the list of authorized vendors and the list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade; receiving a selection of at least one vendor from the list of authorized vendors.”

Amended Claim 29 recites, “displaying a list of authorized vendors and a list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from

the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade; receiving a selection of at least one vendor from the list of authorized vendors.”

Amended Claim 44 recites, “comparing the list of authorized vendors and the list of excluded vendors with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade; receiving a selection of at least one vendor from the list of authorized vendors that corresponds with the at least one line item.”

Borghesi et al. recites “a comprehensive method and system for processing insurance claims for use by insurance companies as well as appraisers, repair shops, salvage yards and other support industries related to insurance claim processing and resolution.” (Column 2, lines 33-49). Borghesi et al, however, does not anticipate, disclose or suggest displaying a list of authorized vendors and a list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade. In addition, Borghesi et al. does not anticipate, disclose or suggest receiving a selection of at least one vendor from the list of authorized vendors.

In fact, Borghesi et al. teaches away from accessing a database of authorized vendors, then displaying a list of authorized vendors and a list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade. Specifically, Borghesi et al. recites, “After damage or loss to the car, the insured calls 401 the insurance company, and the insurance company suggests 402 a DRP body shop and informs the insured of car rental options. The insured drives 403 the car to the DRP body shop. The home office sends a claim assignment to the mailbox of the DRP in the Communications server.” (Column 15, line 66, Column 16, lines 1-6). In addition, the Examiner stated “While Borghesi et al. does not explicitly teach that there is received a selection of at least one vendor from the list of authorized vendors, it would have been obvious to one with ordinary skill in the art to include such to Borghesi et al. since Borghesi et al. teaches that the user may use the information from a selected database thus selecting the vendor (Col 12, lines 39-44).” In contrast to the amended claims, Borghesi et al. does not disclose displaying a list of excluded vendors or a list of authorized vendors to a user, where the authorized are from the group comprising vendors with a preferred

status, franchised vendors, or vendors that allow an upgrade. Moreover, the cited reference does not give the user the ability to choose vendors from a list of authorized vendors and excluded vendors, where authorized vendors are chosen because they have a preferred status, they are franchised vendors or they allow an upgrade.

For the foregoing reasons, the Claims 1, 15, 29 and 44 as amended are not obvious in view of Borghesi et al. Claims 2, 3, 5-7, 9, 11-14, 16, 17, 19-23, 25-28, 30, 31, 33-37, 39-42 and 45-55 depend from independent Claims 1, 15, 29 and 44. Therefore, Claims 2, 3, 5-7, 9, 11-14, 16, 17, 19-23, 25-28, 30, 31, 33-37, 39-42 and 45-55 also are not obvious in view of Borghesi et al. as claims dependent upon an allowable base claim. Applicants respectfully request the Examiner to withdraw the rejections of Claims 1-3, 5-9, 11-17, 19-23, 25-31, 33-37 and 39-55 as amended.

*Claims 10, 24 and 38*

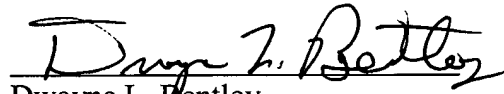
The Examiner rejected Claims 10, 24 and 38 under 35 U.S.C. § 103(a) as being unpatentable over Borghesi et al in view of Huffman as applied to Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37, 39-55 above, and further in view of DiRienzo et al. (U.S. Patent No. 6, 076, 066). Applicants respectfully traverse this rejection. Applicants have amended Claims 1, 15, 29 and 44. The specification supports the amendment to the claims. No new matter has been added. Applicants respectfully submit that the cited references, either individually or in combination, do not describe or suggest the Claims 10, 14 and 38.

Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37 and 39-55 were rejected as being obvious in view of Borghesi et al. Claims 10, 24 depend on base Claim 1 and Claim 38 depends on base Claim 29, and thus includes all the limitations of these independent claims. The same argument made as to Borghesi et al. applied to Claims 1, 15 and 29 applies to Claims 10, 24 and 38. Thus, Claims 10, 24 and 38 are not obvious in view of Huffman and further in view of DiRienzo et al., because Huffman in view of DiRienzo et al. does not overcome any of the problems associated with Borghesi et al. Accordingly, Applicants respectfully request the Examiner to withdraw the rejections of Claims 10, 24 and 38 as amended.

## SUMMARY

Pending Claims 1-3, 5-17, 19-31 and 33-55 as amended are patentable. Applicants respectfully request the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

Respectfully submitted,



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## APPENDIX A

### In the Claims:

Please rewrite Claims 1, 5, 15, 19, 29, 33, 44 and 51 in their entirety as follows (the changes in these Claims from the previous version to the rewritten version are shown in Appendix A, with brackets for deleted matter and underlines for added matter):

1. (Twice Amended) A method of evaluating line item data, the method comprising the steps of:

displaying at least one line item;

accessing a database of excluded vendors and authorized vendors;

displaying a list of authorized vendors and a list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade;

accessing vendor data associated with the list of authorized vendors and the list of excluded vendors;

receiving a selection of at least one vendor from the list of authorized vendors;

and

receiving authorization from a claim handler to execute payment of the selected at least one line item.

5. (Twice Amended) The method of Claim 50 wherein the step of authorizing a vendor transfer further comprises the step of receiving a selection of the availability of [an] the upgrade.

15. (Twice Amended) A system for evaluating line item data, comprising:  
a processor for executing programs; and  
a memory for storing a program executable by the processor, the stored program including instructions for (i) displaying at least one line item; (ii) accessing a database of [authorized] vendors having a list of authorized vendors and a list of excluded vendors ; (iii) displaying the list of authorized vendors and the list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade; (iv) accessing vendor data associated with the list of authorized vendors and the list of excluded vendors; (v) receiving a selection of at least one vendor from the list of authorized vendors ; and (vi) receiving authorization from a claim handler to execute payment of the selected at least one line item.

19. ( Twice Amended) The system of Claim 53 wherein authorizing a vendor transfer includes receiving a selection of an availability of [an] the upgrade.

29. ( Twice Amended) A computer readable medium containing instructions for controlling a computer system to perform a method for evaluating line item data, the method comprising:

displaying at least one line item;  
accessing a database of excluded vendors and authorized vendors;  
displaying a list of authorized vendors and a list of excluded vendors that correspond with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade;  
accessing vendor data associated with the list of authorized vendors and the list of excluded vendors;  
receiving a selection of at least one vendor from the list of authorized vendors;  
and

receiving authorization from a claim handler to execute payment of the selected at least one line item.

33. (Twice Amended) The computer readable medium of Claim 54 wherein the step of authorizing a vendor transfer further comprises the step of receiving a selection of the availability of [an] the upgrade.

44. (Once Amended) A method of evaluating line item data, the method comprising the steps of:

displaying at least one line item;

accessing a database having a list of excluded vendors and authorized vendors;

comparing the list of authorized vendors and the list of excluded vendors with the at least one line item, wherein the authorized vendors are from the group comprising vendors with a preferred status, franchised vendors, or vendors that allow an upgrade;

displaying vendor data on the availability of the upgrade for the at least one line item;

receiving a selection of at least one vendor from the list of authorized vendors that corresponds with the at least one line item; and

receiving authorization from a claim handler to execute at least one payment of the selected at least one line item.

51. (Once Amended) The method of claim 50 further comprising allowing vendor transfer or preauthorized payment only when vendor data indicates the at least one vendor has [a] the preferred status.